

RECEIVED  
CENTRAL FAX CENTER

JUL 22 2005

**F A X C O V E R**

**Date** Friday, July 22, 2005 **Number of pages (Including cover):** 12

**To** James A. Reagan

**Company** United States Patent and Trademark Office

**Your File #**

**Tel**

**Fax** 703-872-9306

**From** Edmund J. Walsh

**Direct dial** 617.646.8212

**Our File #** C1068.70005US00

ORIGINAL DOCUMENTS SENT: ☐ 1st Class Mail ☐ Overnight Mail ☐ Air Mail ☒ Not Sent

**MESSAGE:** Please find attached hereto and Information Disclosure Statement and PTO Form 1449 with cited references

This transmission contains confidential information intended for use only by the above-named recipient. Reading, discussing, distributing, or copying this message by anyone other than the named recipient, or his or her employees or agents, is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone (collect), and return the original message to us at the address below via the U.S. Postal Service.

**IF YOU DID NOT RECEIVE ALL OF THE PAGES OF THIS TRANSMISSION OR IF ANY OF THE PAGES ARE ILLEGIBLE, PLEASE CALL 617.646.8000 IMMEDIATELY.**

**Wolf Greenfield Fax Number: 617.646.8646**

Wolf, Greenfield & Sacks, P.C. | 600 Atlantic Avenue | Boston, Massachusetts 02210-2206  
617.646.8000 | fax 617.646.8646 | [www.wolfgreenfield.com](http://www.wolfgreenfield.com)

**PATENTS TRADEMARKS COPYRIGHTS TECHNOLOGY TRANSFERS LITIGATION**

JUL 22 2005

DOCKET NO.: C1068.70005US00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruger et al.  
Serial No.: 09/675,438  
Confirmation No.: 9912  
Filed: September 28, 2000  
For: PORTABLE ELECTRONIC AUTHORIZATION SYSTEM AND METHOD

Examiner: James A. Reagan  
Art Unit: 3621

## CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner James A. Reagan, Art Unit 3621, FAX number (703) 872-9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 22 day of July, 2005.

  
Signature

## MAIL STOP AMENDMENT

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

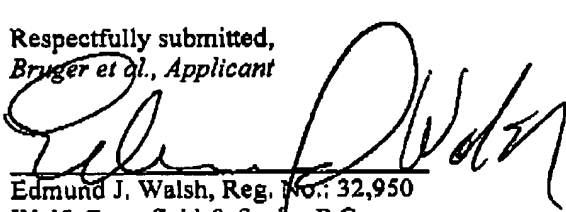
- Information Disclosure Statement
- PTO Form 1449 with cited references

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Bruger et al., Applicant*

By:

  
Edmund J. Walsh, Reg. No.: 32,950  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: C1068.70005US00  
Date: July 22, 2005  
xNDDx

JUL 22 2005

DOCKET NO.: C1068.70005US00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

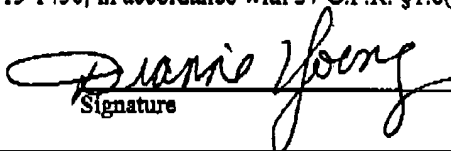
Applicant: Burger et al.  
Serial No.: 09/675,438  
Confirmation No.: 9912  
Filed: September 28, 2000  
For: PORTABLE ELECTRONIC AUTHORIZATION SYSTEM  
AND METHOD

Examiner: James A. Reagan  
Art Unit: 3621

---

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner James A. Reagan, Art Unit 3621, FAX number (703) 872-9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the 22 day of July, 2005.

  
Signature

---

MAIL STOP AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

Serial No.: 09/675,438  
Conf. No.: 9912

- 2 -

Art Unit: 3621

PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

919580-1

Serial No.: 09/675,438  
Conf. No.: 9912


- 3 -

Art Unit: 3621

An early and favorable action is hereby requested.

Respectfully submitted,  
*Burger et al., Applicants*

By:

  
Edmund J. Walsh, Reg. No.: 32,950  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: C1068.70005US00  
Date: 7/ /05  
xNDDx

919580-1

FORM PTO-1449/A and B (Modified)  INFORMATION DISCLOSURE STATEMENT BY APPLICANT			APPLICATION NO.: 09/675,438		ATTY. DOCKET NO.: C1068.70005US00	
			FILING DATE: September 28, 2000		CONFIRMATION NO.: 9912	
			APPLICANT: Burger et al.			
			GROUP ART UNIT: 3621		EXAMINER: James A. Reagan	
Sheet	1	of	1			

## U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Parentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		D506,998	S	Liu et al.	07/05/2005
		D498,236	S	Liu et al.	11/09/2004
		D496,365	S	Liu et al.	09/21/2004
		D491,953	S	Arakaki et al.	06/22/2004
		D491,186	S	Arakaki et al.	06/08/2004
		D490,840	S	Arakaki et al.	06/01/04
		2004/0159700	A1	Khan et al.	08/19/2004
		2004/0094624	A1	Fernandes et al.	05/20/2004
		2004/0029369	A1	Khan et al.	02/12/2004
		2003/0218066	A1	Fernandes et al.	11/27/2003
		2002/0077992	A1	Tobin	06/20/2002
		2002/0052193	A1	Cherty	05/02/2002

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Queuecard Web Site downloaded on July 22, 2005 from website <a href="http://www.queuecard.com/index.html">http://www.queuecard.com/index.html</a> "Home" page	
		Queuecard Web Site downloaded on July 22, 2005 from website <a href="http://www.queuecard.com/prod/index.html">http://www.queuecard.com/prod/index.html</a> "Products" page	
		Vivotech Web Site downloaded on July 22, 2005 from website <a href="http://www.vivotech.com/aboutus/">http://www.vivotech.com/aboutus/</a> "About Us" page	
		Vivotech, Vivowallet™ Literature downloaded on July 22, 2005 from website <a href="http://www.vivotech.com">http://www.vivotech.com</a> (2 pages)	

EXAMINER:	DATE CONSIDERED:
-----------	------------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]